

### Remarks/Arguments

This amendment is submitted in response to the Office Action mailed January 16, 2007. In the Office Action, the Patent Office rejected Claims 1, 2 and 7-10 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

By the present amendment, Applicant submits that this response overcomes the rejections to the claims by the Patent Office. Applicant has amended Claim 1 to overcome the §112 rejection. Applicant submits that amendment to Claim 1 overcomes the rejections to the claims by the Patent Office. Notice to that effect is requested

More specifically, the Patent Office rejected Claims 1, 2 and 7-10 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Patent Examiner states that it is unknown how the mechanical finger engages the biased gripper to cause it to move because no pneumatic or mechanical structure is presented.

The Applicant has amended Claim 1 to fully comply with §112. More specifically, Claim 1 now requires a movable pneumatic finger which automatically move the biased gripping member away from the stationary gripping member thereby releasing the bottle. Applicant points out that support for this structural element is supported by the specification. In the specification, the finger and its structure is presented. More specifically, the specification states:

“Bottles 610 which are gripped by the gripping devices 620 are in position to be moved through the steps of the washing process. After having gone through these steps, the bottles are dropped from the gripping device as indicated by arrow 630. In a preferred class of embodiments, bottles 610 are released from grip by the gripping devices 620 as a result of pneumatic fingers 650 which automatically move the biased gripping member away from the stationary gripping member thereby releasing the bottle. Automatic release of a bottle may further involve the use of a sensor, an electronic signal receiver, and a microprocessor programmed to release bottles meeting only certain criteria. A bottle may alternatively be removed manually however manual removal is less favored.”

The specification clearly indicates the use of pneumatic fingers to release the bottle from the gripping members. Applicant respectfully submits that the rejection under 35 U.S.C. §112, first paragraph is moot in light of the amended claims and the supporting specification quote. Applicant respectfully submits that the claims are in condition for allowance. Notice to that effect is requested.

**Conclusion**

Claims 2-8 depend from Claim 1; and Claim 10 depends from Claim 9. These claims are further believed allowable for the same reasons set forth with respect to independent Claims 1 and 9 since each sets forth additional novel components and steps of Applicant's Crown Neck Container Gripping Device.

**Request For Allowance**

In view of the foregoing remarks, Applicant respectfully submits that all of the claims in the application are in allowable form and that the application is now in condition for allowance. If any outstanding issues remain, Applicant urges the Patent Office to telephone Applicant's attorney so that the same may be resolved and the application expedited to issue. Applicant requests the Patent Office to indicate all claims as allowable and to pass the application to issue.

Respectfully submitted,  
Rutan & Tucker, LLP

Dated: March 13, 2007

By: 

Hani Z. Sayed  
Registration No. 52,544

Attorneys for Applicant(s)  
611 Anton Blvd. Suite 1400  
Costa Mesa, CA 92626  
Tel: (714) 641-5100  
Fax: (714) 546-9035